

# NATOMAS CENTRAL MUTUAL WATER COMPANY

## Water Transfer to Mojave Water Agency Chronology of Events

May 1997

The following is a summary in chronological order of correspondence and other actions relating to Natomas Mutual Water Company's (Natomas) proposed water transfer of 2,000 acre-feet (AF) to Mojave Water Agency (Mojave). The actions listed are only the primary actions Natomas has endured. In addition to the listed action were numerous others including telephone calls, meetings and letters between attorneys, engineers, Mojave and Natomas Board members. As you are aware, the water proposed for transfer has been made available by actions taken by Natomas which have resulted in a net water savings to the Sacramento River.

**May 23, 1995** — A letter to the U. S. Bureau of Reclamation (Bureau) from MBK asking for approval of a transfer of 2,000 AF of base water supply defined in its water settlement contract. Attached to this letter is an Environmental Assessment on the transfer and explanation as to how we arrived at the quantities of net water savings to the Sacramento River.

**June 13, 1995** — Letter from the Bureau in response to the May 23, 1995 letter. This letter is a lengthy explanation of the approval process. Specifically, in Part 1A it states that personnel from the Bureau will be preparing the National Environmental Policy Act (NEPA).

**June 15, 1995** — Meeting with Bureau staff. Clarification on tasks to be completed, including NEPA, to obtain Bureau approval.

**June 21, 1995** — Meeting with the State Water Resources Control Board (SWRCB), Division of Water Rights. Meeting was in regard to issues the SWRCB would require to be clarified before petitions for transfer under Bureau filings could be approved.

**July 7, 1995** — Letter to the Bureau from Natomas requesting clarification of the Bureau's position on transfers.

**July 26, 1995** — Letter to the Bureau from James Hanson transmitting draft Environmental Assessment and Finding of No Significant Impact for joint petition with Broomieside Farms. This is done to aid the Bureau through NEPA.

**August 10, 1995** — Letter to the Bureau from James Hanson transmitting revised draft of Environmental Assessment and Finding of No Significant Impact. This includes comments from Bureau.

**August 14, 1995** — Telephone conversation between Bureau staff and Downey, Brand, Seymour & Rohwer notifying Natomas that Bureau intends to deny transfer. This is based on the fact Natomas' conservation measures were implemented prior to the CVPIA; therefore, Natomas can receive no credit for those conservation efforts.

**August 21, 1995** — Letter to the Bureau from Downey, Brand, Seymour & Rohwer requesting consent for transfer to Mojave with evidence of amounts of saved water.

**August 23, 1995** — Meeting with Bureau staff clarifying its position on transfers and information needed to approve transfer.

**September 25, 1995** — Meeting with the SWRCB staff. Brief overview and verbal explanation of Natomas' conservation efforts and savings to the system. Hand delivered letter to SWRCB from MBK with petition for change in the point of diversion and place of use under Natomas' licenses.

**October 17, 1995** — Meeting with Bureau staff, including Roger Patterson. Bureau claimed it had no objection to transfer and written approval was forthcoming.

**October 24, 1995** — Letter to the Bureau from MBK providing additional information to justify transfer of base water. This is in response to the August 23 meeting.

**December 1, 1995** — A letter from the SWRCB outlining several issues that need to be clarified before the petition for change in point of diversion and place of use can be approved. These issues are the same as the ones raised by the Bureau.

**December 22, 1995** — Letter to the SWRCB with explanations to all of the issues raised in the previous letter by the SWRCB.

**February 9, 1996** — Meeting with the SWRCB staff. Several questions answered in order to facilitate notice of petition and steps required to notice petition under Natomas' water rights.

**February 17, 1996** — Letter to the Bureau from Downey, Brand, Seymour & Rohwer requesting it proceed with approval of the transfer as indicated at the October 17, 1995 meeting.

March 21, 1996 — Letter to the Bureau from Downey, Brand, Seymour & Rohwer confirming a telephone conversation with Frank Dimick. During the call, Natomas was notified the Bureau does not have jurisdiction over the transfer of base supply and was suggested to obtain approval through the SWRCB. The letter asks if the Bureau plans to protest the petition filed with the SWRCB.

April 1, 1996 — Letter from the Bureau explaining its position on transfer approval and suggesting approval be acquired through the SWRCB.

April 5, 1996 — Letter to the SWRCB from MBK providing documentation of reduction in diversions and net water savings resulting from conservation efforts. This is in response to the information requested in the February 9, 1996 meeting with the SWRCB.

May 23, 1996 — Letter from the SWRCB identifying several issues requiring clarification.

June 4, 1996 — Letter to the SWRCB from MBK providing clarification on issues raised in the May 23, 1996 letter.

June 20, 1996 — Letter to the SWRCB from MBK clarifying two issues raised by staff.

June 24, 1996 — Notice of petition received.

July 8, 1996 — Letter from the Bureau requesting extension of time to reply to the notice of petition.

July 12, 1996 — Extension of time granted from the SWRCB to the Bureau.

July 15, 1996 — Letter from the Bureau to the SWRCB raising several issues in opposition to the petition for transfer.

July 25, 1996 — Letter to the SWRCB from MBK addressing all of the Bureau's concerns in its July 15, 1996 letter to the SWRCB.

July 25, 1996 — Letter to the SWRCB from Natomas explaining frustration in the approval process.

July 26, 1996 — Letter to the SWRCB from Downey, Brand, Seymour & Rohwer showing legal justification for transfer.

August 5, 1996 — Letter to the SWRCB from MBK with additional data proving a net savings of water to the system.

August 6, 1996 — Telephone call from the SWRCB requesting further data be submitted.

August 8, 1996 — Letter from the SWRCB asking for clarification on how we have arrived at Natomas' savings of water to the system.

August 13, 1996 — Telephone call from the SWRCB staff requesting further information and data of historical base water supply and use.

August 14, 1996 — Meeting with SWRCB staff, including Roger Johnson, to clarify information sent and what the SWRCB needs to approve transfer.

August 15, 1996 — Letter to the SWRCB from MBK clarifying the two main issues raised at the August 14, 1996 meeting: the environmental impact and all of the water to be transferred would be base water supply.

August 30, 1996 — Order received from the SWRCB approving temporary transfer of conserved water.

September 1996 — Meeting with Department of Water Resources (DWR) operations staff requesting wheeling arrangements for transfer. Unable to provide at this time, system is operating at full capacity; try next month.

October 16, 1996 — Telephone call from DWR operations staff explaining available room in system to transfer; request clarification on SWRCB Order.

October 18, 1996 — Meeting with DWR operations staff and Bureau staff. Bureau opposes transfer and requests that a NEPA study be completed (see July 26, 1995). Bureau staff agrees Natomas had reduced diversions by over 30,000 AF, and some portion has resulted in a net savings to the system. However, the Bureau disagrees with the method used for calculating saved water and, specifically, the quantity available for transfer in October 1996. Staff is unable to provide Bureau's method or policy and claims it is forthcoming.

October 28, 1996 — Meeting with Bureau staff. We requested information as to its justification for opposition to the transfer.

November 1996 — Meeting with Bureau Regional Director Roger Patterson. Bureau agrees with transfer and will expedite staff to complete review to effect transfer in summer of 1997.

April 2, 1997 — Letter from DWR requesting information on analysis of conserved water, proof of water rights, etc. (see August 30-October 18 of 1996).

April 11, 1997 — Meeting with Assistant Regional Director Kirk Rogers and Bureau staff to discuss required additional procedures for final approval of transfer proposal.

May 15, 1997 — Letter from Bureau giving conditional consent to the transfer. Letter specifically states the Bureau is not convinced that recapturing and recycling tailwater return flow in a reusable water system is a water conservation practice which reduces consumptive use.

May 19, 1997 — Telephone call with DWR operations staff. Capacity available in July, 1997 to deliver water to Mojave.

May 20, 1997 — Letter to SWRCB requesting authorization for transfer as required in paragraph 2 of the order. Submit executive summary and schedule of 1997 forecasted diversions.

May 22, 1997 — Letter to DWR in response to information requested in its April 2, 1997 letter.

May 22, 1997 — Letter to Bureau in response to its May 15, 1997 letter requesting information for conditional consent to transfer.

June 27, 1997 — Received order reauthorizing transfer through October 31, 1997.

July 10, 1997 — Mojave awaiting wheeling agreement with DWR. DWR Legal Department considering how to classify water.

July 28, 1997 — Telephone call from Bureau staff requesting schedule of forecasted diversions. This information was supplied in the May 22, 1997 letter.

July 28, 1997 — Fax from DWR operations staff showing wheeling of water for transfer began on July 23, 1997.

July 31, 1997 — Transfer (pumped from Delta) of 1,600 AF of water complete.

August 25, 1997 — Letter from DWR confirming transfer completed.

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